



Corridor Program

Congestion Relief & Bus Rapid Transit Projects

REQUEST FOR QUALIFICATIONS

Washington State Department of Transportation

I-405/I-5 to SR 169 Stage 2 - Widening and SR 515 Interchange Project

**ISSUED:
May 2, 2008**

**STATEMENTS OF QUALIFICATIONS DUE:
June 2, 2008**



**Washington State
Department of Transportation**

CONFIDENTIAL

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1.0 INTRODUCTION

1.1 REQUEST FOR QUALIFICATIONS

The Washington State Department of Transportation (WSDOT) is requesting Statements of Qualifications (SOQs) from entities (Submitters) interested in submitting Proposals for the I-405/I-5 to SR 169 Stage 2 - Widening and SR 515 Interchange Project (Project) located in Renton, Washington. By submitting a SOQ, Submitters agree to be bound by the requirements of this Request for Qualifications (RFQ).

1.2 SUBMITTER INFORMATION

Each Submitter shall provide WSDOT's Contract Ad & Award Office with the name, address, phone number, fax number, and e-mail address of its contact person as soon as the Submitter identifies its intent to submit a SOQ. WSDOT will distribute addenda and other communications directly to the contact person. This distributed information will also be posted on the WSDOT Web site. The contact person is responsible for distributing copies within their team.

The SOQ shall be submitted to Ken Walker. His contact information is:

Ken Walker
WSDOT Contract Ad & Award Office
P.O. Box 47360
Olympia, WA 98504-7360
Phone: (360) 705-7017
Email: walkeke@wsdot.wa.gov

For all other Project matters, WSDOT's Point of Contact listed in Section 2.3 will be the sole contact person throughout the RFQ process.

2.0 PROCUREMENT PROCESS

2.1 PROCESS OVERVIEW

WSDOT will use a two-step procurement process to select a design-build contractor (Design-Builder) to deliver the Project. This RFQ is issued as the first step to solicit information from Submitters in the form of SOQs. WSDOT will evaluate submitted SOQs to determine which Submitters are the most highly qualified to deliver the Project successfully. WSDOT's goal is to short-list three highly qualified Submitters.

In the second step, WSDOT will issue a Request for Proposal (RFP) for the Project to the short-listed Submitters. Only the short-listed Submitters will be eligible to submit Proposals for the Project. Each short-listed Submitter who submits a Proposal in response to the RFP is referred to herein as a "Proposer." WSDOT may award a design-build Contract for the Project to the Proposer offering the apparent best value, to be determined as described in the RFP. Evaluation scores used to determine the short-list will be carried forward and used by WSDOT to determine which Proposer offers the apparent best value.

WSDOT will pay a stipend to all non-successful Proposers who submit a responsive Proposal.

WSDOT may cancel or re-advertise this procurement at its discretion.

2.2 PROCUREMENT SCHEDULE

The deadlines for submitting the SOQ and questions about the RFQ are shown in the schedule in Table 2.2 below. WSDOT anticipates additional procurement milestone dates. This schedule is subject to revision by the RFP and addenda to this RFQ.

Table 2.2	
Action	Dates
Issue RFQ	May 2, 2008
Deadline for submitting written questions for the voluntary Submitters meeting	May 12, 2008
Voluntary Submitters meeting	May 14, 2008
Deadline for submitting RFQ questions	May 22, 2008
SOQ due date	June 2, 2008
Notify short-listed Submitters	June 27, 2008
Issue DRAFT RFP* **	June 27, 2008
Mandatory RFP meeting* **	July 9, 2008
Issue RFP* **	July 14, 2008
Proposals due* **	October 7, 2008
Announce apparent best value* **	November 5, 2008
* Short-listed teams only.	
**Dates may change.	

2.3 WSDOT POINT OF CONTACT

WSDOT's Engineer for this section of I-405, Chad Brown, is WSDOT's sole Point of Contact and addressee for receiving all communications from potential Submitters about the Project. Submitters may contact WSDOT's Point of Contact by letter, phone, or e-mail as follows:

Chad Brown, P.E.
WSDOT
600 – 108th Avenue NE, Suite 405
Bellevue, WA 98004
Phone: (425) 456-8569
E-mail: BrownCA@wsdot.wa.gov

2.4 EX PARTE COMMUNICATIONS

Submitters are expected to conduct themselves with professional integrity and to refrain from lobbying activities. During the procurement process (commencing with issuance of this RFQ and continuing until award of a Contract for the Project or cancellation of the procurement), no employee, member, agent, advisor, or consultant of any Submitter shall have any ex parte communications, directly or indirectly, regarding this procurement with any representative of WSDOT or the Federal Highway Administration, including their staff, advisors, contractors, or consultants (as described in Section 4.2) involved with the procurement, except for communications expressly permitted by this RFQ (or, subsequent to issuance of the RFP, except for communications expressly permitted by the RFP).

Any verified allegation that a Submitter or an employee, agent, advisor, consultant, or subcontractor of a Submitter has engaged in such prohibited communications or attempted to unduly influence the selection process may be cause for WSDOT to disqualify the Submitter from participating, all at the discretion of WSDOT's Point of Contact.

2.5 VOLUNTARY MEETING FOR POTENTIAL SUBMITTERS

WSDOT will hold an informational meeting for potential Submitters regarding this RFQ on the date indicated in Section 2.2. Attendance at this meeting is not a prerequisite to being a Submitter. The meeting will be held from 2:30 p.m. to 4:30 p.m. at the following location:

Renton City Hall
Council Chambers – 7th Floor Council Chambers
1055 South Grady Way
Renton, WA 98055

Directions to the Renton City Hall are available on the Project Web site at:

<http://www.wsdot.wa.gov/Projects/i405/I5toSR169/>

2.6 QUESTIONS AND CLARIFICATIONS, ADDENDA

Questions and requests for clarification regarding this RFQ shall be submitted in writing to WSDOT's Point of Contact. To be considered, all questions and requests must be received by 4:00 p.m., Pacific Time, on the date indicated in Section 2.2.

WSDOT reserves the right to revise this RFQ at any time before the SOQ due date. Such revisions, if any, will be announced by addenda to this RFQ.

WSDOT will use the following guidelines when responding to questions and requests for clarification and issuing addenda:

- Questions and requests for clarification will be posted, as soon as they are received, to WSDOT's Contract Ad & Award Web site at:
<http://www.wsdot.wa.gov/biz/contaa/>.
- WSDOT will answer questions and requests for clarification by posting a response on its Contract Ad & Award Web site.
- WSDOT will send an e-mail notification to the contact person for each Submitter as soon as each addendum, response, or group of responses is issued. When

possible, the notification will include an electronic copy of the addendum or clarification.

The Submitter shall acknowledge receipt of all addenda by completing and providing Form A, Acknowledgment of Receipt of Addenda, attached to this RFQ.

2.7 WITHDRAWAL OF SOQ

After submitting a SOQ to WSDOT, the Submitter may withdraw the SOQ if the following occurs:

- The Submitter submits a written request signed by an authorized representative of the Submitter; and
- WSDOT receives the request before the SOQ due date.

The original SOQ may be revised and resubmitted if WSDOT receives the revised SOQ before the SOQ due date.

2.8 WSDOT'S RIGHTS

Throughout the procurement process, WSDOT reserves the right, at its sole discretion, to:

- Appoint evaluation committees to review SOQs and Proposals;
- Investigate the qualifications of any Submitter or Proposer;
- Seek or obtain data from any source related to the SOQs or Proposals;
- Require confirmation of information furnished by a Submitter or Proposer;
- Hold meetings and conduct discussions and correspondence with the Submitters and Proposers to seek an improved understanding and evaluation of the SOQs or Proposals;
- Require additional information from a Submitter or Proposer concerning its SOQ or Proposal;
- Seek and receive clarifications to a SOQ or Proposal;
- Require additional evidence of qualifications to perform the work;
- Modify the procurement process;
- Waive minor deficiencies and irregularities in a SOQ or Proposal;
- Reject any or all of the SOQs or Proposals;
- Issue a new RFQ or RFP;
- Issue a request for Best and Final Offers;
- Conduct negotiations with the Apparent Best Value Proposer prior to award of the Contract;
- Cancel a Contract signed by the selected Design-Builder but not yet executed by WSDOT; and
- Not issue a Notice to Proceed after execution of the Contract.

3.0 SCOPE OF THE PROJECT

3.1 ESTIMATED COST

The estimated Contract cost of the Project is \$100 million. Due to a cash flow restriction on funds available to WSDOT for this Project, WSDOT is expected to limit payment for Contract work performed by the Design-Builder prior to July 1, 2009 to an amount not to exceed \$20 million. The remaining Project funds will be available to WSDOT on July 1, 2009 for payment for Contract work performed by the Design-Builder.

3.2 TIME FOR COMPLETION

WSDOT anticipates that I-405, SR 515, and their associated ramps will be open to traffic by June 30, 2011.

3.3 WSDOT'S VALUES AND PROJECT GOALS

It is WSDOT's expectation that the Design-Builder will design and construct the Project in consideration of WSDOT's values and project goals.

WSDOT's values are as follows:

- Safety;
- Project delivery (on time, on budget, quality products and services);
- Accountability; and
- Effective and transparent communication.

With the above values in mind, WSDOT has established the following Project goals:

- Minimal Impacts - Minimize inconvenience to the public and adjacent properties during construction;
- Excellent Quality - Meet or exceed technical quality requirements for design and construction through implementation of a clear and thorough quality management plan;
- Permit Compliance - Meet or exceed environmental requirements with no permit violations by adopting WSDOT's permitting and environmental compliance standards;
- Smooth Start-up - Maximize Project development effectiveness through implementation of a well planned start-up that ensures efficient delivery of the Project.
- Forward Compatibility - Maximize Project elements that can be integrated into future planned I-405 improvements without significant demolition or reconstruction of these elements.

3.4 PROJECT SCOPE AND STATUS

The following Project scope is provided to Submitters to assist in developing a team with the expertise that is required for the Project. The Design-Builder shall be responsible for management, design, and construction of the Project. The design and construction by the

Design-Builder shall be in accordance with WSDOT's guidelines and standards as required by the RFP. WSDOT's intent is to allow flexibility in design and construction to accommodate processes, procedures, and innovative techniques that are preferred by the Design-Builder, as long as they are consistent with site conditions, good engineering practices, context sensitive solutions, environmental documents and permits, other standards, guidelines, and procedures identified in the RFP, and the Project goals. The scope of work presented in this RFQ for the Project may or may not be the final scope of work presented in the RFP for the Project.

WSDOT intends to co-locate its staff and owner representatives with the Design-Builder's staff. Specifics of these co-location requirements will be described further in the RFP.

WSDOT has determined that under certain circumstances, a portion of the real property acquired for this Project will not be needed for transportation purposes, and it is in the public's best interest to exchange the surplus property for a portion of the work equal in value to the fair market value of the surplus property. Specifics of the land exchange requirements will be described further in the RFP.

The Project requires design and construction of improvements to approximately 1.5 miles of existing six-lane interstate highway and SR 515 (Talbot Road), including the following major elements:

- A new half-diamond interchange at SR 515, including an off-ramp from southbound I-405 to SR 515 and an on-ramp from SR 515 to northbound I-405;
- One additional lane in each direction on I-405 between the interchanges with SR 167 and SR 169;
- Removal and replacement of the existing two-lane Benson Road Bridge over I-405 with a 40-foot wide bridge;
- Widening of the existing I-405 structure over SR 515 in the southbound direction;
- Modification of the on-ramp from SR 169 to southbound I-405;
- New retaining walls and two new noise walls; and
- Other elements that are typical for interstate widening projects such as storm drainage, Intelligent Transportation Systems, and illumination systems.

4.0 TEAMING PARAMETERS

This section describes requirements that Submitters shall satisfy in submitting SOQs. Failure of the Submitter to meet these requirements may result in rejection of its SOQ.

4.1 MAJOR PARTICIPANT

As used herein, the term "Major Participant" means any of the following entities:

- A. The Submitter, or if the Submitter is a partnership, joint venture, limited liability company, or other form of association, any general partners, joint venture members, or members of the Submitter;
- B. All individuals, persons, proprietorships, partnerships, limited liability partnerships, corporations, professional corporations, limited liability companies, business

associations, or any other legal entity however organized holding (directly or indirectly) a 15 percent or greater interest in the Submitter;

C. The lead engineering/design firms;

D. Each engineering/design sub-consultant who is expected to perform 30 percent or more of the design work; and/or

E. Each subcontractor who is expected to perform 20 percent or more of the construction work.

4.2 WSDOT CONSULTANT/TECHNICAL SUPPORT

WSDOT has retained the consulting firms of HNTB Corporation, HDR Engineering, Inc., Parsons Transportation Group, Inc., KBA, Inc., PRR Inc., Anchor Environmental, Certified Land Services Corporation, Wilkinson Ferrari & Company, Westby Consulting, and McGowan Environmental, Inc. to provide guidance in preparing and evaluating this RFQ, the RFP, and advice on related financial, contractual, and technical matters. Each of these firms is prohibited from joining any Submitter's team or otherwise assisting any Submitter in connection with the procurement process.

4.3 ORGANIZATIONAL CONFLICTS OF INTEREST

WSDOT will take steps to ensure that individuals involved in the preparation of the procurement package, evaluation of SOQs and Proposals, and Design-Builder selection are not influenced by organizational conflicts of interest, and that no Submitter is given an unfair competitive advantage over another. The Federal Highway Administration has defined "organizational conflict of interest" in 23 CFR Section 636.116 as follows:

Organizational conflict of interest means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the owner, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.

Attention is directed to the requirement for disclosure of organizational conflicts of interest set forth in 23 CFR Section 636.116(a) (2), applicable to federal-aid procurements.

WSDOT has determined that such disclosure is appropriate for non-federally funded projects as well. Submitters are required to identify any potential organizational conflicts of interest in the SOQs.

If an organizational conflict of interest is determined to exist, WSDOT may, at its discretion, offer the Submitter the opportunity to correct the organizational conflict of interest; disqualify the Submitter from further participation in the procurement; cancel this procurement; or, if award has already occurred, cancel the Contract. If the Submitter was aware of an organizational conflict of interest prior to award of a Contract and did not disclose the conflict to WSDOT, WSDOT may terminate the Contract for default. WSDOT may also disqualify a Submitter if any of its Major Participants listed in Categories A, B, or C in Section 4.1 belong to more than one Submitter organization.

4.4 TEAM CONTINUITY AND CHANGES TO ORGANIZATIONAL STRUCTURE

Following submittal of the SOQ, Key Personnel or Major Participants identified in the SOQ may not at any time be removed, replaced, or added without the written approval of WSDOT's Point of Contact. WSDOT's Point of Contact may revoke the short-list status of a Submitter if any Key Personnel or Major Participant identified in the SOQ is removed, replaced, or added without written approval of WSDOT's Point of Contact. To qualify for approval, the written request shall document that the proposed removal, replacement, or addition will be equal to or better qualified than the Key Personnel or Major Participant provided in the SOQ. WSDOT's Point of Contact will use the criteria specified in this RFQ to evaluate all requests.

4.5 EQUAL EMPLOYMENT OPPORTUNITY

Discrimination in all phases of contracted employment, consultant activities, contracting activities, and training is prohibited by Title VI of the Civil Rights Act of 1964, Section 162(a) of the Federal-Aid Highway Act of 1973, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Justice System Improvement Act of 1979, the Americans with Disabilities Act of 1990, the Civil Rights Restoration Act of 1987, 49 CFR Part 21, the Washington State Law Against Discrimination, RCW 49.60, and other related laws and statutes. The referenced legal citations establish the minimum requirements for affirmative action efforts and define the basic nondiscrimination provisions required by this RFQ. Further requirements and discussions regarding Equal Employment Opportunity policies at all contracting levels will be included in the RFP.

4.6 MINORITY AND WOMEN'S BUSINESS ENTERPRISES PARTICIPATION

WSDOT encourages participation in all of its contracts by Minority and Women's Business Enterprises (MWBE) as certified by the Office of Minority and Women's Business Enterprises (OMWBE) and defined in WAC 326-02-030. WSDOT has established a voluntary goal of 13 percent for MWBE participation for the Project. The participation goals will be included in the RFP. Nevertheless, unless required by federal law, no preference will be given for meeting voluntary goals for MWBE participation in the evaluation of Proposals; no minimum level of MWBE participation shall be required as a condition for receiving a Contract award; and Proposals will not be rejected or considered non-responsive due to a failure to meet voluntary goals. Bidders may contact OMWBE to obtain information on certified MBE/WBE firms.

5.0 SUBMITTAL LOGISTICS AND FORMAT

This section describes requirements that Submitters shall satisfy in submitting SOQs. Failure of the Submitter to meet these requirements may result in rejection of its SOQ.

5.1 DUE DATE, TIME, AND LOCATION

All sealed SOQs shall be received at one of the following locations prior to 4:00 p.m., Pacific Daylight Time, on the date identified as the "SOQ due date" in the Project Schedule included in Section 2.2:

By U.S. mail:

Ken Walker
WSDOT Contract Ad & Award Office
P. O. Box 47360
Olympia, WA 98504-7360

WSDOT will consider notification of bid receipt by the Mail Room as the actual receipt of the SOQ.

By hand (in person or by courier):

WSDOT Contract Ad & Award Office
Transportation Building, Room 1A23
310 Maple Park Avenue SE
Olympia, WA 98501-7360

SOQs delivered in person will be received only in the WSDOT Contract Ad & Award Office, Room 1A23.

WSDOT will not accept SOQs by facsimile or electronic transmission. Any SOQ that fails to meet the deadline or delivery requirement will be rejected and returned to the Submitter without having been opened, considered, or evaluated.

5.2 ORGANIZATION

The Submitter shall organize the SOQ using the following section headings, order of documents, and maximum number of pages:

Table 5.2

Section	Section Title and Required Information	Maximum Pages
1	Introduction Letter	2
2	Key Personnel (Project, Construction, and Design Managers)	3
3	Project Experience (Design and Construction Firms)	8
4	Collective Team as a Whole	5
Appendix A	Resumes of Key Personnel (limit to 2 pages per person)	6
Appendix B	Legal	As required
Appendix C	Financial	As required
Appendix D	Form A: Acknowledgment of Receipt of Addenda	1

5.3 FORMAT

The SOQ shall be formatted as follows:

- **Language:** All information shall be in English.
- **Type Font:** All narrative text shall be single-spaced in a regular Arial style font at a minimum of 12 points. The type style and size of headings and figures are not prescribed.
- **Photos:** No photos will be allowed except for the cover of the submittal.
- **Page Size:** Except for charts, exhibits, and other illustrative and graphical information, all information shall be printed on 8.5-inch by 11-inch paper. Charts, exhibits, and other illustrative and graphical information may be on 11-inch by 17-inch paper, but the 11-inch by 17-inch paper shall be folded to 8.5-inch by 11-inch and will be counted as one sheet.
- **Page Margins:** No text, tables, figures, or other substantive content shall be printed within 0.75 inch of any page edge.
- **Page Limit:** Page limits are described in Section 5.2. The SOQ shall include only information required by this RFQ. No other information will be considered in the evaluation of the SOQ.
- **Dividers:** Section dividers shall contain the section number and/or section title. No other text is permitted on the dividers. The dividers will not be counted toward the allowable page total.
- **Binding:** Each copy of the SOQ shall be bound separately.
- **Front Cover:** The front cover of each SOQ shall be labeled with the team name of the Submitter, along with the following:

I-405/I-5 to SR 169 Stage 2 - Widening and SR 515 Interchange Project
Design-Build Project
Statement of Qualifications
[date of submittal]

Failure to comply with these requirements may result in rejection of the SOQ.

5.4 QUANTITIES

Each Submitter shall provide the following:

- One original unbound SOQ showing original signatures;
- One electronic copy of the SOQ in PDF format on a CD with the sections and subsections bookmarked; and
- Fifteen hard copies of the SOQ.

The original shall be identified as the original on its front cover in colored ink. Each hard copy shall be identified on its front cover, in the upper right-hand corner, as "Copy X of 15 Copies."

The unbound original, hard copies, and CD shall be packed together in one sealed package for delivery to WSDOT. The outside of the sealed package shall be clearly identified, labeled, and addressed with the following:

- A return address including the Submitter's name, contact person's name, and mailing address;
- The date of submittal;
- The contents labeled as "I-405/I-5 to SR 169 Stage 2 -Widening and SR 515 Interchange Project," "Design-Build Project," and "Statement of Qualifications"; and
- The address of WSDOT's Contract Ad & Award Office, as indicated in Section 5.1.

6.0 CONTENT

This section outlines the general requirements of each section of the SOQ. For specific requirements and how each section will be scored, refer to Section 7.0.

6.1 INTRODUCTION LETTER (SECTION 1)

The Introduction Letter will be reviewed on a pass/fail basis only, and not as part of the qualitative assessment of the SOQ.

The Introduction Letter shall be addressed to WSDOT's Point of Contact, and it shall include the following information:

- Submitter name, address, business type (e.g., corporation, partnership, joint venture).
- A statement that the Submitter, or at least one Major Participant who is performing construction, is pre-qualified with WSDOT for Work Classes 1, 6, or 20 in the amount of \$20 million or more.
- Roles of the Submitter and each Major Participant.
- Identification of a single contact person, address, telephone and fax numbers, and email.
- Letter signed by authorized representatives.
- Letter certifying the truth and correctness of the SOQ.
- Summary of Submitter's qualifications and why its team should be selected.
- Statement that the Submitter shall comply with applicable laws and regulations.

6.2 KEY PERSONNEL (SECTION 2)

The purpose of this section is to demonstrate the Submitter's understanding of how the experiences of the Key Personnel contribute to the overall success of the Project. The Submitter shall present the Key Personnel (Project Manager, Design Manager, and Construction Manager) and explain how their experiences make them uniquely qualified as a team to lead the Project. This section should include the names, titles, and classifications of Key Personnel for the Project.

WSDOT seeks Key Personnel who can demonstrate experience on projects at similar levels of complexity on urban interstate or major highway projects within the past seven years. The Submitter shall relate relevant experience of the Key Personnel to the Project goals. This section shall include experience of the Key Personnel related to design and construction. The Submitter shall identify at least one project described in Section 6.3 for each Key Personnel.

For the duration of the Project activities that involve their areas of responsibility, all Key Personnel shall be required to be on or immediately adjacent to the Project site, or at a co-located facility with WSDOT personnel and consultants.

The Key Personnel include the following:

- **Project Manager**

The Design-Builder's Project Manager shall be responsible for the overall design, construction, schedule, budget, quality management, and Contract administration for the Project. This person shall be assigned to the Project full-time.

- **Construction Manager**

The Construction Manager shall be responsible for the overall structure and roadway construction for the Project. This person shall be assigned to the Project full-time during construction activities.

- **Design Manager**

The Design Manager shall be responsible for ensuring that the overall Project design is completed and design criteria are met. The Design Manager shall be assigned to the Project full-time whenever design activities are being performed, and shall be available as needed during construction activities. The Design Manager shall be a registered Professional Engineer in the State of Washington prior to award of the Contract.

6.2.1 KEY PERSONNEL QUALIFICATIONS

The qualifications and experience of Key Personnel will be reviewed as part of the qualitative assessment of the Proposal. Key Personnel will be evaluated, in part, based on the extent to which their experiences will contribute to the completion of a successful Project.

The minimum qualifications and licensure requirements for these positions will be initially evaluated as either "Pass" or "Fail." A "Fail" rating in any position can be considered a basis for rejecting the Proposal.

Unless otherwise stated, WSDOT will not require that the Design Manager's professional engineering license be in place as of the Proposal due date, provided the Proposal includes a commitment that the license will be obtained prior to award of the Contract, and provided further that WSDOT determines that the designated individual is qualified to obtain a license. If, at WSDOT's discretion, any of the Key Personnel fail to meet the minimum qualifications described in this section, WSDOT may disqualify the Proposer. If a Proposer is selected and WSDOT then determines that a Key Personnel does not meet the minimum qualifications, WSDOT may ask the Proposer to replace the Key Personnel with someone who meets them.

6.2.2 RESUMES

Resumes for Key Personnel only shall be provided in **Appendix A**, and shall be limited to a maximum of two pages each.

6.2.3 REFERENCES

For each Key Personnel, list three references from different projects. The owner representative may be a consultant who acted on behalf of the owner for the project. All references should identify the owner representative who is most familiar with the Key Personnel, and who could best answer Project-specific questions. Provide the owner representative's name, email address, phone number, and the best times and days to reach them. WSDOT will attempt to reach the references during those times, if possible. The references must not work for the same company of the person they are referencing. The projects corresponding to each individual should be at least 75 percent complete.

6.3 PROJECT EXPERIENCE (SECTION 3)

WSDOT seeks a Design-Builder who can demonstrate experience on projects at similar levels of complexity on urban interstate or major highway projects within the past seven years. This section shall describe the details and complexity of five to seven urban interstate or major urban highway projects. The Submitter shall relate relevant project experience to the Project goals. This section shall include project experience related to design and construction. All Major Participants shall have at least one project identified. References¹ shall be provided for all projects listed.

To assist WSDOT in evaluating the Submitter's references and job experience, a suggested presentation format is provided below.

				Team Participants			Criteria			Additional Relevance
Project Name	Dollar Value	State	Owner	Firm A	Firm B	Firm C	Design-Build	Major Interstate	Project Staging and/or Scheduling	Similarities/ Benefits to the Project
Sample Project Name	\$\$\$			X	X	X	X	X	X	Project experience that can be related to the Project

¹ Job reference information includes starting date and completion date or anticipated completion date; contractor or design firm being referenced; budget; type of contract (design-build or design-bid-build); and references (owner representative name, email address, and phone number). All references for the personnel and projects should identify the owner representative who is familiar with the project and personnel who could best answer project-specific questions.

6.4 COLLECTIVE TEAM AS A WHOLE (SECTION 4)

WSDOT has determined that it is critical for the Design-Builder to provide a strong Project team that can adopt WSDOT's values and meet or exceed the Project goals. This section shall demonstrate how the Project team will be structured to meet these values and goals by:

- Discussing the integration of the various members of its team, including use of co-location, management of start-up, and past experience working together; and
- Defining clear organizational controls, clear channels of communication and decision-making protocols to ensure a successful Project, and explaining how these items have been used successfully on past projects.

6.5 RESUMES (APPENDIX A)

Resumes should highlight the following information:

- Relevant education, training, licensing, and registration/certification;
- Years of experience performing similar work; and
- Actual work examples relevant to the Project, including projects, duties performed, and percent of time on the job. The owner representative's name, email address, phone number, and the best times and days to reach them.

WSDOT will attempt to reach the references during those times, if possible. For planning purposes, the Submitter should indicate reference check availability between June 4, 2008 and June 10, 2008. References shall be from at least three different projects. It is important to ensure that the appropriate references listed have specific knowledge of the person's experience, project, or company. References that are not knowledgeable of the person, project, or company may be cause for a lower score if they cannot answer the questions asked. References shall not work for the same company of the person they are referencing. Projects that are referred to shall be at least 75 percent complete as measured by payment.

6.6 LEGAL (APPENDIX B)

The Submitter shall provide a description of the legal entity proposed as the Design-Builder. If the Submitter's legal entity has already been formed, the Submitter shall provide complete copies of the organizational documents, along with those documents that allow or would allow by the time of Contract award, the Submitter and its team members to conduct business in the State of Washington. If the Submitter's legal entity has not yet been formed, the Submitter shall provide a brief description of the proposed legal structure and provide draft/final copies of the underlying agreements. Once the legal entity is finalized, the Submitter shall supplement its SOQ with copies of the final organizational documents. The final organizational documents shall be submitted no later than 15 Calendar Days before the Proposal due date as described in the RFP.

If the Submitter is a joint venture, limited liability company, partnership, or other association, the Submitter shall provide an express statement from each of the partners/members as to their joint and severable liability on the Project. The Submitter shall use WSDOT Standard Form 410-009 *Individual Project Statement of Joint Venture*. This form is available for download at:

<http://www.wsdot.wa.gov/biz/contaa/prequal/>.

In the instructions to Form 410-009, the requirement for pre-qualification applies to those firms performing construction work on the Project (e.g., contractors). The pre-qualification requirement does not apply to joint venture members providing design and engineering services only.

Interested Submitters not currently pre-qualified with WSDOT should contact:

Ken Walker
WSDOT Pre-Qualification Office
P.O. Box 47360
Olympia, WA 98504-7360
Phone: (360) 705-7017
Email: walkeke@wsdot.wa.gov

6.7 REQUIREMENTS OF FINANCIAL INFORMATION TO BE SUBMITTED (APPENDIX C)

The Submitter shall provide a letter from a surety or insurance company stating whether or not the Submitter is capable of obtaining Proposal, contract, and warranty bonds as indicated in Table 6.7 below.

Table 6.7		
Proposal** Bond/Security	Contract** Bond/Security	Warranty* ** Bond/Security
\$5,500,000	\$110,000,000	\$4,500,000
*The warranty period is expected to be two years at this amount, and then reduced to \$200,000 for the three years thereafter. **The identified amounts are for RFQ purposes only. Actual amounts of bond/security required by the Contract may vary, and shall be in compliance with applicable Washington law.		

A contract bond is an approved form of security furnished by the Design-Builder and the Design-Builder's surety that guarantees performance of the work and payment to anyone who provides supplies or labor for the performance of the work, and performance as required under the warranty requirements of the Contract.

The letter shall also specifically state that the surety/insurance company has evaluated the backlog and work in progress of the Submitter and its principal members in determining the Submitter's capability to obtain bonds. Letters indicating "unlimited" bonding capability are not acceptable. The surety or insurance company providing the letter must be authorized to do business in the State of Washington with an A.M. Best Co. "Best's Rating" of A- or better.

6.8 FORMS (APPENDIX D)

Include Form A, Acknowledgement of Receipt of Addenda.

7.0 EVALUATION PROCESS

7.1 STATEMENT OF QUALIFICATIONS (SOQ) EVALUATION

This section outlines the specific requirements of each section of the SOQ and how each section will be scored. If the information provided for an evaluation factor is not complete, then the Submitter may be eliminated from further consideration. Scoring will be based on how well the SOQ responds to the requirements described in Section 6, the Project goals, and information collected from references. Past performance track records will be weighted in the scoring. WSDOT reserves the right to contact references on individuals and projects other than those identified by the Submitters to evaluate past performance.

A summary of the points for each section of the SOQ is as follows:

Table 7.1		
Section	Section Title	Points Available
1	Introduction Letter	Pass/Fail
2	Key Personnel <ul style="list-style-type: none">• Project Manager• Construction Manager• Design Manager	300
3	Project Experience <ul style="list-style-type: none">• Construction Firm• Design Firm	400
4	Collective Team as a Whole	300
Appendix A	Resumes	N/A
Appendix B	Legal	Pass/Fail
Appendix C	Requirements of Financial Information to be Submitted	Pass/Fail
Appendix D	Forms	Pass/Fail
Total		1000

7.2 EVALUATION FACTORS

Numerical scores will be assigned by a WSDOT Evaluation Committee to the evaluation categories shown below.

If a Submitter receives a passing score on all pass/fail evaluation factors, its SOQ will be further evaluated using the scoring criteria. If a Submitter fails on any single pass/fail requirement, the SOQ may be rated as unacceptable, in which case the evaluation factors will not be scored, and the Submitter will not be included on the short-list.

7.2.1 INTRODUCTION LETTER (SECTION 1) (PASS/FAIL)

The Introduction Letter shall include the information requested in Section 6.1.

7.2.2 KEY PERSONNEL (SECTION 2) (300 POINTS MAXIMUM)

This section will be evaluated based on the following:

- Key Personnel should have a track record of demonstrating good leadership skills, ability to work well with all levels on a project, and successful completion on projects as complex as or more complex than the Project. Key Personnel with experience on more complex projects is preferred. In accordance with Section 6.2.3, past performance records of Key Personnel will be checked by contacting references.
- Key Personnel who can bring forth the best Project team.
- How the responses to requirements identified in Sections 6.2 and 6.4 demonstrate the Key Personnel's ability to adopt WSDOT's values and meet the Project goals.
- Key Personnel's experience with interstate, major urban highway, design-build, and WSDOT projects.
- Required licensure or the ability to be licensed prior to award of a Contract as required for the applicable position.

7.2.3 PROJECT EXPERIENCE (SECTION 3) (400 POINTS MAXIMUM)

This section will be evaluated based on the Submitter's experience with the following:

- Projects at similar levels of complexity on urban interstate and major urban highway projects within the past seven years. Experience on more complex projects, design-build projects, and WSDOT projects is preferred.
- Development and implementation of Quality Assurance and Quality Control programs.
- Development and implementation of an environmental program that ensures compliance with permitting and environmental standards.
- Minimizing impacts to the public through effective staging and phasing of the work.
- Integrating multi-disciplinary teams including co-location and management of start-up.

7.2.4 COLLECTIVE TEAM AS A WHOLE (SECTION 4) (300 POINTS MAXIMUM)

This section will be evaluated based on the information submitted in Sections 2, 3, and 4 of the SOQ and in response to Section 6.4 of this RFQ.

7.2.5 RESUMES (APPENDIX A)

Resumes will be used in scoring Section 2.

7.2.6 LEGAL (APPENDIX B) (PASS/FAIL)

Appendix B shall include the information requested in Section 6.6.

7.2.7 REQUIREMENTS OF FINANCIAL INFORMATION TO BE SUBMITTED (APPENDIX C) (PASS/FAIL)

Appendix C shall include the information requested in Section 6.7.

7.2.8 FORMS (APPENDIX D) (PASS/FAIL)

Include Form A, Acknowledgement of Receipt of Addenda.

8.0 PROTEST PROCEDURES

This section sets forth the exclusive protest remedies available with respect to this RFQ. By submitting its SOQ, each Submitter acknowledges the limitation on its rights to protest as set forth in this RFQ; waives all other rights and remedies; and agrees that the decision on any protest, as provided in this RFQ, shall be final and conclusive unless wholly arbitrary and capricious. These provisions are included in this RFQ expressly in consideration for such waiver and agreement by the Submitters. Such waiver and agreement by each Submitter are also consideration to each other Submitter for making the same waiver and agreement.

8.1 PROTESTS REGARDING THE REQUEST FOR QUALIFICATIONS (RFQ)

The Submitter may protest the terms of this RFQ prior to the time for submission of SOQs on the grounds that a material provision in this RFQ is ambiguous; any aspect of the procurement process described herein is contrary to legal requirements applicable to this procurement; or this RFQ in whole or in part exceeds the authority of WSDOT. Protests regarding this RFQ shall be filed only after the Submitter has informally discussed the nature and basis of the protest with WSDOT's Point of Contact in an effort to remove the grounds for protest.

Protests regarding this RFQ shall completely and succinctly state the grounds for protest and shall include all factual and legal documentation in sufficient detail to establish the merits of it. Evidentiary statements, if any, shall be submitted under penalty of perjury.

Protests regarding this RFQ shall be filed as soon as the basis for protest is known to the Submitter, but in any event it must be actually received no later than ten Calendar Days before the SOQ due date, provided that protests regarding an addendum to this RFQ shall be filed and actually received by WSDOT no later than five Calendar Days after the addendum to this RFQ is issued (or no later than the SOQ due date, if earlier).

Protests regarding this RFQ shall be filed in writing by hand delivery or courier to the Protest Official, with a copy to WSDOT's Point of Contact. The Protest Official is identified as:

Ken Walker
WSDOT Contract Ad & Award Office
P.O. Box 47360
Olympia, WA 98504-7360

WSDOT will distribute copies of the protest to the other Submitters and may request the other Submitters to submit statements or arguments regarding the protest. At its discretion, WSDOT may discuss the protest with the protesting Submitter. If other Submitters are requested to submit statements or arguments, they may file a statement in support of or in opposition to the protest within seven Calendar Days of the request.

The protesting Submitter shall have the burden of proving its protest by clear and convincing evidence. No hearing will be held on the protest. The Protest Official or its designee will decide the protest on the basis of the written submissions. WSDOT will furnish copies of the decision in writing to each Submitter. The decision shall be final and conclusive. If necessary, to address the issues raised in the protest, WSDOT will make appropriate revisions to this RFQ by issuing addenda. At its discretion and if necessary, WSDOT may extend the SOQ due date to address any protest issues. Each party shall bear its own attorneys fees and legal costs that may result from the protest.

The failure of a Submitter to raise the grounds for a protest regarding this RFQ within the applicable time period shall constitute an unconditional waiver of the right to protest the terms of this RFQ and shall preclude consideration of that ground in any protest of qualification of a Submitter.

8.2 PROTESTS REGARDING RESPONSIVENESS AND SHORT-LISTING

A Submitter may protest the results of the above-described evaluation and qualification process by filing a notice of protest by hand delivery or courier to the Protest Official and providing a copy of the notice of protest to WSDOT's Point of Contact. The protesting Submitter shall concurrently file a copy of its notice of protest with the other Submitters. The notice of protest shall specifically state the grounds of the protest.

Notice of protest of any decision to accept or disqualify a SOQ on responsiveness grounds must be filed within seven Calendar Days after the earliest to occur of notification of non-responsiveness; the scheduled date for oral meetings and presentations (if any); or the public announcement of short-listed Submitters. Notice of protest of the decision on short-listed Submitters must be filed and received by the Protest Official within seven Calendar Days after the public announcement of the short-listed Submitters.

Within seven Calendar Days of the notice of protest, the protesting Submitter must file with the Protest Official a detailed statement of the grounds, facts, and legal authorities, including all documents and evidentiary statements, in support of the protest. The protesting Submitter shall concurrently deliver a copy of the detailed statement to all other Submitters. Evidentiary statements, if any, shall be submitted under penalty of perjury. The protesting Submitter shall have the burden of proving its protest by clear and convincing evidence.

1 Failure to file a notice of protest or a detailed statement within the applicable time period
2 shall constitute an unconditional waiver of the right to protest the evaluation or short-
3 listing process and decisions.

4 Other Submitters may file a statement with the Protest Official by hand delivery in support
5 of or in opposition to the protest. The statement must be filed within seven Calendar Days
6 after the protesting Submitter files its detailed statement of protest. WSDOT will promptly
7 forward copies of any statements to the protesting Submitter.

8 Unless otherwise required by law, no evidentiary hearing or oral argument shall be
9 provided. At the discretion of the Protest Official or its designee, a hearing or argument
10 may be permitted, if necessary, for protection of the public interest or an expressed, legally
11 recognized interest of a Submitter or WSDOT. The Protest Official or its designee shall
12 issue a written decision regarding the protest within 15 Calendar Days after the Protest
13 Official receives the detailed statement of protest. The decision shall be final and
14 conclusive. The Protest Official or its designee shall deliver the written decision to the
15 protesting Submitter and copies to the other Submitters.

16 If a notice of protest regarding responsiveness is filed prior to the oral presentation process
17 (if any), WSDOT may proceed with the oral presentation process and may short-list
18 Submitters before the protest is withdrawn or decided, unless the Protest Official or its
19 designee determines, at its discretion, that it is in the public interest to postpone the
20 qualification prior to a decision. Such a determination shall be in writing and shall state
21 the facts on which it is based.

22 If the Protest Official or its designee concludes that the Submitter filing the protest has
23 established a basis for protest, the Protest Official or its designee will determine what
24 remedial steps, if any, are necessary or appropriate to address the issue raised in the protest.
25 The steps may include, but are not limited to, submitting the issue to WSDOT's evaluation
26 committee to determine whether the list of Submitters selected to submit Proposals should
27 be revised; withdrawing or revising the decisions; issuing a new RFQ; or taking other
28 appropriate actions.

29 If the protest is denied, the protesting Submitter may seek judicial review of WSDOT's
30 decision in Thurston County Superior Court within five Calendar Days of receiving
31 WSDOT's decision denying the protest. Each party shall bear its own attorney fees, expert
32 witness fees, and all other legal costs.

33 **8.3 COSTS AND DAMAGES**

34 WSDOT shall not be liable for damages to the Submitter filing the protest or to any
35 participant in the protest, on any basis, express or implied.

36
37 End of Request for Qualifications

38
39 Form A Follows

FORM A

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA (To be included in Appendix D of the Statement of Qualifications)

(Name of Submitter)

We hereby acknowledge receipt of the "I-405/I-5 to SR 169 Stage 2 - Widening and SR 515 Interchange Project," Design-Build Project Request for Qualifications dated _____, and subsequent addenda and responses to questions by the Washington State Department of Transportation as follows:

ADDENDUM No.

Response to Questions No.

Date Issued

_____	_____
_____	_____
_____	_____

(Signed)

Date

(Printed or Typed Name)

(Title)